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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77114

Katsumi OKAMOTO

Appln. No.: 10/648,833

Group Art Unit: 2852

Confirmation No.: 3927

Examiner: Not Yet Assigned

Filed: August 27, 2003

For: DEVELOPER CHARGING UNIT, DEVELOPING DEVICE, IMAGE-FORMING APPARATUS,  
AND COMPUTER SYSTEM

**SUBMISSION OF INTERNATIONAL SEARCH REPORT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:


For the possible benefit of anyone subsequently evaluating the scope and/or validity of the above-identified patent, it is requested that the document that is listed below (copy enclosed) be placed in the U.S. Patent and Trademark Office's file wrapper of the above-identified U.S. patent:

**International Search Report of European Patent Application No. 03 019 509.3-2209**

The undersigned has not reviewed the teachings of the above-listed document in detail and thus makes no representations concerning the relevancy or materiality of the above-listed document.

This is not an Information Disclosure Statement and no response from the U.S. Patent and Trademark Office is believed to be necessary, nor are any fees believed to be due.

Respectfully submitted,

  
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 27, 2004

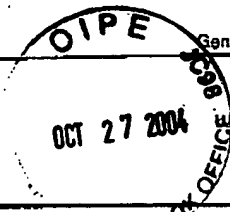


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24. Sep. 2004

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Application No. 03 019 509.3 - 2209	Ref. 100 003 a/km	Date 22.09.2004
Applicant SEIKO EPSON CORPORATION		

### Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



HILTNER K  
 Primary Examiner  
 for the Examining Division

Enclosure(s): 2 page/s reasons (Form 2906)

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Date  
Date

22.09.2004

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1

Anmelde-Nr.:  
Application No.: 03 019 509.3  
Demande n°:

The examination is being carried out on the following application documents:

**Description, Pages**

1-94 as originally filed

**Claims, Numbers**

1-53 as originally filed

**Drawings, Sheets**

1/26-26/26 as originally filed

1. The set of claims comprises the following independent claims directed to a developer charging unit: 1,3,5,11,12,13,17  
the following independent claims directed to a developing device:  
21,29,32,39,42,51  
the following independent claims directed to the entire image forming apparatus:  
30, 40, 52  
the following independent claims directed to a computer system: 16,31,41,53
2. Unity of invention, Art.82 EPC:  
The unities of invention is only established if a special technical feature for the independent claims can be identified (being novel over the prior art) which is identical in the independent claims or has the same technical effect, Rule 30 EPC.  
The examiner could not identify such special feature in the independent claims, see the following examples:
  - The spacings between the fixing portions in claim 1 can not be found in claim 32.  
The sealing member and the pressing portion of claim 32 can not be found in claim 1. Hence said features can not be the special feature in the meaning of Rule 30 EPC.
  - The shaft bearing member and the thickness restricting unit of claim 42 can not be found in claims 1 or 32; said features can also not be the special technical feature in the meaning of Rule 30.The applicant is invited to designate the common special technical feature in the



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Anmelde-Nr.:  
Application No.: 03 019 509.3  
Demande n°:

meaning of Rule 30, or to render the set of claims unitary.

3. Rule 29(2):

More than one independent claim of the same category can only be allowed under special circumstances. The developing devices of claims 21 and 29, or of claims 32 and 39, or of claims 42 and 51 can be considered as alternative solutions. However said three groups 21/29 and 32/39 and 42/41 do not form alternative solutions, to which exception c of Rule 29(2) applies.

4. The claims maintained should comprise reference signs to increase their intelligibility, Rule 29(7) EPC.

5. Although in principle examination is carried out only after unity of invention is established, the following preliminary remark is already advanced:  
Claims 16, 31, 41, 53 are directed to a computer unit to which other items may be connected.  
If the other items are not connected, the computer unit is not featured at all.  
Said claims infringe Art. 84 EPC (clarity).

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